



#RCE
IAW

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/018,128
Filing Date: March 11, 2002
First Named Inventor: Martin, et al.
Group Art Unit: 1615
Examiner Name: L. Di Nola Baron
Attorney Docket Number: 550.0122USQ1
CUSTOMER NO.: 27623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. _____ Previously submitted

i. _____ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).

ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____

iii. _____ Other _____

b. XXXXX Enclosed

i. XXXXX Amendment/Reply

ii. _____ Affidavit(s)/Declaration(s)

iii. _____ Information Disclosure Statement (IDS) and PTO-1449

iv. _____ Other _____

2. **Miscellaneous**

a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. _____ Other _____

3. **Fees** The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. _____ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. **01-0467**.

i. XXXXX RCE fee (\$770.00) required under 37 C.F.R. § 1.17(e)

ii. XXXXX Extension of Time fee (\$110.00) (37 C.F.R. §§ 1.136 and 1.17)

iii. _____ Other _____

b. XXXXX Check in the amount of \$ 880.00 enclosed

c. _____ Payment by credit card (Form PTO-2038 enclosed)

September 7, 2004
Date of Signature

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **September 7, 2004**.

Leslie Moscatello
NAME

SIGNATURE

9/7/04
DATE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martin et al.
Serial No: 10/018,128
For: METHOD OF IMPROVING THE APPEARANCE OF EPITHELIA
Filed: March 11, 2002
Examiner: L. Di Nola Baron
Art Unit: 1615
Confirmation No.: 1510
Customer No: 27623

Atty. Docket: 550.0122USQ1

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Rejection mailed May 4, 2004, the period for response having been extended to September 4, 2004, please amend the above-identified application according to the following:

The section entitled "Amendments to the Claims" begins at page 2.

The section entitled "Remarks" begins at page 8.